

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

vs.

GEORGE DONNELLY

:Date Notice Mailed:5/17/10

:CRIMINAL NO.10-757-M

NOTICE TO APPEAR FOR A PROBABLE CCAUSE HEARING

YOU ARE HEREBY NOTIFIED TO appear for a Probable Cause hearing on the above Complaint & Warrant, before United States Magistrate Judge Henry S. Perkin on Tuesday, May 25, 2010 at 2:30 pm, in Courtroom No. 4A on the 4th Floor, Edward N. Cahn United States Courthouse, 504 W. Hamilton Street, Allentown, PA.

Please consult with your attorney before the date fixed for the Probable Cause Hearing. In the event you do not have an Attorney and you qualify for an attorney, one will be appointed for you. In the event you are in need of an attorney to be appointed, please contact Helen Nicholas, Deputy Clerk to the Hon. Henry S. Perkin (610-391-7025) as soon as possible.

For Information please call:
Helen A. Nicholas, Deputy Clerk to
Hon. Henry S. Perkin, U.S.M.J.
(610-391-7025)

Notice to:
VIA MAIL, FAX AND E-MAIL
Defendant - 409 Saw Mill Court, Norristown, PA 19401
Defense Counsel
United States Attorney - Seth Weber, Esq.
United States Marshal - 610-433-1603

Footnote:
On May 12, 2010, the defendant had his initial appearance before me. At that time the United States requested a continuance for three days in which to file a motion seeking pretrial detention. I granted that motion and set the hearing for May 17, 2010 at 1:30 PM before the criminal duty judge in Philadelphia. In addition, I had the defendant return to court on May 13, 2010 for a status review of the government's position regarding pretrial detention. When the defendant appeared before me on May 13, 2010, I reminded him that he had a right to a probable cause hearing with regard to the criminal complaint and warrant. He indicated that he wanted such a hearing with regard to the criminal complaint and warrant. He indicated that he wanted such a hearing but requested that I not hold it on May 13, 2010 so that he could have time to engage counsel and arrange for the presence of witnesses. The government was present on May 13, 2010 with the U.S. Marshal who filed the complaint and sought the warrant of arrest. At that time, Assistant U.S. Attorney Seth Weber informed the court that he would not be available for such a hearing during the week of May 17, 2010. I informed the defendant that he had a right to have his probable cause hearing held within 10 days of the date of the initial appearance. The defendant advised the court that he understood this right and waived it so that he could have the time needed to engage counsel and arrange for the presence of witnesses. Nevertheless, Federal Rule of Criminal Procedure 5.1 requires that the probable cause hearing must be held within 14 days of the initial appearance and not 10 days. The probable cause hearing is scheduled within 14 days of the initial appearance.